# **EXHIBIT "A"**

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Court of Common Pleas of Philadelphia County Trial Division

### For Prothonotary Use Only (Docket Number) NOVEMBER 2023

02215

**Civil Cover Sheet** 

Civil Cover Sheet		E-Filing Number: 2311044833	02215	
PLAINTIFF'S NAME MITZIE CLARKE		DEFENDANTS NAME STADIUM CASINO RE, LI SERVICE COMPANY	STADIUM CASINO RE, LLC, ALIAS: C/O CORPORATION	
PLAINTIFF'S ADDRESS 22 HAWKINS COURT UNIT 1 WATERBURY CT 06704		DEFENDANTS ADDRESS 251 LITTLE FALLS DRIV WILMINGTON DE 19808	251 LITTLE FALLS DRIVE	
PLAINTIFF'S NAME		DEFENDANT'S NAME	DEFENDANT'S NAME	
PLAINTIFF'S ADDRESS		DEFENDANT'S ADDRESS	DEFENDANT'S ADDRESS	
PLAINTIFF'S NAME		DEFENDANT'S NAME	DEFENDANT'S NAME	
PLAINTIFF'S ADDRESS		DEFENDANT'S ADDRESS	DEFENDANT'S ADDRESS	
TOTAL NUMBER OF PLAINTIFFS TO	TAL NUMBER OF DEFENDANTS	COMMENCEMENT OF ACTION		
1	1	▼ Complaint ☐ Petition Action ☐ Writ of Summons ☐ Transfer From	on	
	PROGRAMS		_	
Settlement ☐ Arbitration ☐ Mass Tort ☐ Commerce ☐ Settlement ☐ Minor Court Appeal ☐ Minors				
Jui	on-Jury Savii			
·   —	her:	ion Statutory rep	The state of the s	
CASE TYPE AND CODE				
2S - PREMISES LIABILITY, SLIP/FALL				
STATUTORY BASIS FOR CAUSE OF ACTION				
RELATED PENDING CASES (LIST BY CASE CAPTION AND DOCKET NUMBER)		PRO PROTHY	IS CASE SUBJECT TO COORDINATION ORDER? YES NO	
	N	NOV <b>21</b> 2023		
		C. SMITH		
TO THE PROTHONOTARY:				
Kindly enter my appearance on behalf of Plaintiff/Petitioner/Appellant: MITZIE CLARKE				
Papers may be served at the address set forth below.				
NAME OF PLAINTIFF'S/PETITIONER'S/APPELLANT'S ATTORNEY		ADDRESS		
MARC F. GREENFIELD			TWO PENN CENTER PLAZA	
PHONE NUMBER FAX NUMBER			1500 JFK BOULEVARD	
(215) 985-2424	(215) 545-6117	SUITE 200 PHILADELPHIA PA 19102		
SUPREME COURT IDENTIFICATION NO.		E-MAIL ADDRESS		
62081		efile@injuryline.co	efile@injuryline.com	
SIGNATURE OF FILING ATTORNEY OR PARTY		DATE SUBMITTED		
MARC GREENFIELD		Tuesday, November 2	Tuesday, November 21, 2023, 08:07 am	

### SPEAR, GREENFIELD, RICHMAN, WEITZ & TAGGART P.C. Filed and Attested by the

BY: MARC F. GREENFIELD, ESQUIRE

I.D. NO.: 62081

Two Penn Center Plaza, Suite 200

1500 J.F.K. Boulevard Philadelphia, PA 19102

(215) 985-2424

**MAJOR JURY** 

MITZIE CLARKE : Attorney for Plaintiff

22 Hawkins Court, Unit 1 Waterbury, CT 06704

v.

STADIUM CASINO RE, LLC d/b/a LIVE! CASINO & HOTEL PHILADELPHIA

c/o Corporation Service Company 251 Little Falls Drive Wilmington, DE 19808 Tittorney for Francis

COURT OF COMMON PLEAS COUNTY OF PHILADELPHIA CIVIL TRIAL DIVISION

Office of Judicial Records

### COMPLAINT IN PERSONAL INJURY 2S PREMISES LIABILITY

NOTICE

You have been sued in court. If you wish to defend against the claims set forth in the following pages, you must take action within twenty (20) days after this complaint and notice are served, by entering a written appearance personally or by attorney and filing in writing with the court your defenses or objections to the claims set forth against you. You are warned that if you fail to do so the case may proceed without you and a judgment may be entered against you by the court without further notice for any money claimed in the complaint or for any other claim or relief requested by the plaintiff. You may lose money or property or other rights important to you.

YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW. THIS OFFICE CAN PROVIDE YOU WITH INFORMATION ABOUT HIRING A LAWYER.

IF YOU CANNOT AFFORD TO HIRE A LAWYER, THIS OFFICE MAY BE ABLE TO PROVIDE YOU WITH INFORMATION ABOUT AGENCIES THAT MAY OFFER LEGAL SERVICES TO ELIGIBLE PERSONS AT A REDUCED FEE OR NO FEE

PHILADELPHIA BAR ASSOCIATION LAWYER REFERRAL and INFORMATION SERVICE One Reading Center Philadelphia, Pennsylvania 19107 (215) 238-6333 TTY: (215) 451-6197 ADVISO

Le han demandado a usted en la corte. Si usted quiere defenderse de estas demandas expuestas en las páginas siguientes, usted tiene veinte (20) dias, de plazo al partir de la fecha de la demanda y la notificatión. Hace falta asentar una comparencia escrita o en persona o con un abogado y entregar a la corte en forma escrita sus defensas o sus objeciones a las demandas en contra de su persona. Sea avisado que si usted no se defiende, la corte tomará medidas y puede continuar la demanda en contra suya sin previo aviso o notificacion. Además, la corte puede decidir a favor del demandante y requiere que usted cumpla con todas las provisiones de esta demanda. Usted puede perder dinero o sus propiedades u otros derechos importantes para usted.

LLEVE ESTA DEMANDA A UN ABOGADO INMEDIATAMENTE. SI NO TIENE ABOGADO O SI NO TIENE EL DINERO SUFICIENTE DE PAGAR TAL SERVICIO, VAYA EN PERSONA O LLAME POR TELÉFONO A LA OFICINA CUYA DIRECCIÓN SE ENCUENTRA ESCRITA ABAJO PARA AVERIGUAR DONDE SE PUEDE CONSEGUIR ASISTENCIA LEGAL:

ASSOCIACION DE LICENDIADOS DE FILADELFIA SERVICIO DE REFENCIA E INFORMACION LEGAL

One Reading Center Filadelfia, Pennsylvania 19107 Teléfono: (215) 238-6333 TTY: (215) 451-6197

## COMPLAINT IN PERSONAL INJURY 2S PREMISES LIABILITY

- 1. Plaintiff, Mitzie Clarke, is a citizen and resident of the State of Connecticut, residing at the address listed in the caption of this Complaint.
- 2. Defendant, Stadium Casino RE, LLC d/b/a Live! Casino & Hotel Philadelphia, is a business entity doing business in the Commonwealth of Pennsylvania with an address listed in the caption of this complaint, and which at all times material hereto was the owner, operator, maintainor, possessor, lessor, lessee and/or otherwise legally responsible for the care, control and or safety of the premises located at or near 900 Packer Avenue, Philadelphia, PA 19148 (hereinafter referred to as "subject premises").
- 3. At all times material hereto defendant, Stadium Casino RE, LLC d/b/a Live! Casino & Hotel Philadelphia, was acting individually, jointly and/or by and through defendant's agents, servants, franchisees, workmen and/or employees for the maintenance, repair, care and control of the subject premises.
- 4. On or about July 16, 2022, plaintiff, Mitzie Clarke, was an invitee, licensee and/or otherwise legally on defendant's premises, when, as a result of the negligence and/or carelessness of the defendant, the plaintiff slipped and fell as the result of a wet floor surface while entering the women's lavatory of the subject premises.
- 5. As a result of this accident, the plaintiff suffered severe and permanent bodily injury as more fully set forth at length below.

#### COUNT I Mitzie Clarke v. Stadium Casino RE, LLC d/b/a Live! Casino & Hotel Philadelphia Personal Injury

6. Plaintiff incorporates herein the allegations set forth in the aforementioned paragraphs, inclusive, as if set forth here at length.

- 7. The negligence and/or carelessness of defendant consisted of the following:
  - a. Failure to properly design, construct, maintain, and/or repair the subject premises, floors, hallways, pathways, aisles and/or walkways over which invitees, licensees and/or others are likely to travel rendering the subject premises unsafe;
  - b. Failure to properly monitor, test, inspect or clean the subject premises, floors, hallways, pathways, aisles and/or walkways to see if there were dangerous or defective conditions to those legally on the subject premises;
  - c. Failure to provide sufficient warning as to the reasonably foreseeable defects and dangerous nature of the subject premises, floors, hallways, pathways, aisles and/or walkways to such invitees, licensees and/or others legally on the subject premises;
  - d. Failure to barricade and/or block-off the defective and/or dangerous area of the subject premises, floors, hallways, pathways, aisles and/or walkways;
  - e. Failure to reasonably inspect, maintain and/or otherwise exercise due and reasonable care under the circumstances in view of the foreseeable dangers, accidents and/or injuries that could occur as a result of the conditions on the subject premises, floors, hallways, pathways, aisles and/or walkways;
  - f. Failure to comply with all building codes, county and city laws, ordinances and regulations pertaining to the design, construction, and maintenance of the aforementioned subject premises;
  - g. Failing to exercise the proper care, custody and control over the aforesaid subject premises;

- h. Failure to inspect, maintain and/or repair known and/or unknown defects; and,
- Failing to prevent and/or remove a dangerous condition derived, originated or had its source the aforesaid subject premises;
- 8. As a direct result of the negligent and/or careless conduct of defendant, the plaintiff suffered various serious and permanent personal injuries, serious impairment of body function and/or permanent serious disfigurement, and/or aggravation of pre-existing conditions, including, but not limited to: partial tear of the supraspinatus of the left shoulder, C4-5, C5-6, C6-7, cervical disc herniations with impingements, L5-S1 lumbar disc herniation, L4-5 lumbar disc bulging, cervical sprain and strain, lumbar sprain and strain, left shoulder sprain and strain, post traumatic headaches, and any other ills, injuries, all to plaintiff's great loss and detriment.
- 9. As a result of these injuries, all of which are to plaintiff's great financial detriment and loss, plaintiff has in the past, is presently and may in the future suffer great pain, anguish, sickness and agony and will continue to suffer for an indefinite time.
- 10. As an additional result of the carelessness and/or negligence of defendant, plaintiff has suffered emotional injuries along with the physical injuries suffered.
- 11. As a further result of the injuries sustained, the plaintiff has, is presently, and may in the future undergo a great loss of earnings and/or earning capacity, all to the further loss and detriment of the plaintiff.
- 12. Furthermore, in addition to all the injuries and losses suffered, the plaintiff has incurred or will incur medical, rehabilitative and other related expenses in the amount equal to and/or in excess of any applicable health insurance coverage for which plaintiff has not been reimbursed and upon which the plaintiff makes a claim for payment in the present action.

**WHEREFORE**, plaintiff demands judgment in plaintiff's favor and against defendant in an amount in excess of Fifty Thousand (\$50,000.00) Dollars, plus all reasonable costs and any other relief the court deems necessary.

SPEAR, GREENFIELD, RICHMAN, WEITZ & TAGGART P.C.

BY: MARC F. GREENFIELD, ESQUIRE

INTERROGATORIES, REQUESTS FOR PRODUCTION OF DOCUMENTS, SUPPLEMENTAL REQUESTS AND REQUEST FOR ADMISSIONS ARE SERVED ATTACHED TO PLAINTIFF'S COMPLAINT AT THE TIME SERVICE OF ORIGINAL PROCESS IS AND/OR WAS EFFECTUATED.

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#### VERIFICATION

The undersigned, plaintiff in this action, verifies that the within pleading is based upon information furnished to counsel, which has been gathered by counsel in the preparation of this lawsuit. The language of the attached pleading is that of counsel and not of signor. Signor verifies that the within pleading, as prepared by counsel, is true and correct to the best of signor's knowledge, information and belief. To the extent that the contents of the within pleading are that of counsel, signor has relied upon counsel in taking this verification.

This verification is made subject to the penalties of 18 Pa.C.S.A. §4904 relating to unsworn falsification to authorities.

-DocuSigned by:

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